

Quid Novi



Vol. 5 No. 19 in a pocket inside back cover.

VOL. V NO. 20

McGILL UNIVERSITY FACULTY OF LAW
FACULTE DE DROIT UNIVERSITE MCGILL

March 6, 1985
6 mars, 1985

GOGEK, COTE, LATOUR, and COHEN FINALLY TAKE SHOWERS

JESSUP TEAM CLEANS UP

A light fog began to descend over the City of Edmonton as the four preliminary rounds of the 1985 Jessup drew to a close at mid-afternoon last Saturday. In a crowded, smoke-filled U. of Alberta Law School Common Room, some eighty students from across Canada nervously waited to learn if their team had made it to the final Championship Round. Some appeared more nervous than others.

In a secluded corner in a second chamber of the room sat the McGill team of Alain Côté, Daniel Gogek, Julie Latour, and Gad Cohen, despondent and convinced that 1985 would not be the year for McGill. Their four anguished faces confirmed that they were analysing remorsefully what had gone wrong.

The team's opening round, which pitted Côté and Gogek against a team from the University of New Brunswick, had gone off without a hitch. Although the bench, composed of Profs. Neuspiel and Errol Mendes and Me. K. Schwarzenberger, had grilled Côté and Gogek with questions, the team remained confident about this match. The Court's questioning grew tame when

the U.N.B. team began its submissions, and this was taken as a good sign.

The second round, which matched a team from Windsor against McGill's Respondents Cohen and Latour, was a clear win for McGill. Pleading before judges Claire L'Heureux-Dubé, Micheline Langlois, and Heather Fortin, the Windsor team seemed to stumble on questions and, for the most part, appeared to be reading from the memorial. Latour and Cohen, by contrast, had smooth and persuasive deliveries.

The next match for McGill's Respondents was virtually a repeat performance. This time, against Université de Laval, the Court was composed of Mr. Justice Wm. Sinclair of Alberta, Professor Kuttner from U.N.B., and Me. Stewart of the Alberta bar. The Laval team gave it one last shot in the rebuttal, but remarks raised nothing new and apparently fell flat. Mlle. Latour gave the Court just what it wanted to hear by respectfully declining the right to a sur-rebuttal.

The second match of the McGill Applicants proved less successful. Côté and

Gogek were matched against S. Potamitis and G. Henderson of the University of Toronto. The Court was presided over by Daniel Turp, U. of Montreal Professor and Coach of the U. de M. Jessup Team, Mr. John Freed, former U. of T. law student and Jessup pleader, and M. McLaughlin, a practitioner from the Alberta bar.

Côté began the pleadings, only to be met by a barrage of questions from Mssrs. Freed and Turp. Thrown somewhat off-guard, Côté struggled to get back on track. But according to Côté's own post-mortem analysis, "They kept me for 15 minutes on page one of our memorial." While Gogek tried to regain ground by meeting the questions head-on, the battle was not an easy one. The consoling factor was that the opponents, Potamitis and Henderson, did not appear to fair any better. The match would be close; it was all up to the judges.

"Ladies and Gentlemen," Chairperson Anne McClelland cried out to a noise-filled Common Room, "we will soon be announcing the numbers

Cont'd on p. 5

ANNOUNCEMENTS

Women's Centennial

Theme Weekend: Women & Success

Towards a New Social Policy Blueprint

Moderator: Dr. Sylvia Ostry, Canadian Ambassador for Multilateral Trade Negotiations.

Panelists: Senator Lorna Marsden, sociologist, Louise Dulude, lawyer, researcher; Judith Maxwell, economist; Lysiane Gagnon, political columnist.

Friday, March 8, 7:30 p.m.
Leacock Bldg., Room 26

Having It All: Women's Perception of Success

Moderator: Prof. Margaret Gillet, Author, Macdonald Professor of Education, McGill.

Panelists: Claire Kirkland-Casgrain, lawyer, Citizenship Court Judge, former MNA; Eleanor Venning, Prof. of Endocrinology, McGill (Retired); Norma Walmsley, Prof. of Political Science, McGill (Retired), Operation Match.

Moderator: Prof. Myrna Gopnik, Assoc. Prof. Linguistics, McGill.

Panelists: Kathy Keefler, TV news anchorwoman, Erica Ritter, playwright, humorist, Sarah Pritchard, physician, Prof. of Nephrology, McGill; Ruzika Petkovic-Luton, consulting engineer, Exxon.

Moderator: Prof. Margaret Somerville, Prof. of Medicine, Prof. of Law, McGill.

Panelists: Monique Forget, Assistant Deputy Minister of Health, Ottawa; Céline Guilbert, graduate student, Education; Ora Paltiel, resident physician, Grace Permaul, President, McGill Students' Society.

Closing Address: Chaviva Hosek, President National Action Committee on the Status of Women.

Saturday, March 9, 1:00 to 6:00 p.m.
Leacock Room 232.

Trees Seminar

Open Seminar, Wednesday, 6 March, 1985, 1:30-3:30, Common Room, by Professor C. Stone, Law Centre, University of Southern California, Berkeley:

"'Trees' Revisited: How Far Will Law and Morals Reach?"

This is a development of ideas first published in Prof. Stone's environmental law work, Should Trees Have Standing? Toward Legal Rights for Natural Objects (1974).

All are welcome.

L.S.A. Election Information

All students please be advised that nominations will commence at 9:00 a.m. Tuesday, March 12.

The following positions will be open:

- 1) President
- 2) Vice-President Civil Law
- 3) Vice-President Common Law
- 4) Vice-President, University Affairs
- 5) Secretary
- 6) Treasurer
- 7) Student Representative on Faculty Council (3 undergraduate positions; 1 graduate position)
- 8) Class President, BCL II
- 9) Class President, LLB II
- 10) Class President, BCL III
- 11) Class President, LLB III

12) Class President, BCL/LLB IV

Other relevant dates:

--Nominations close 5:00 p.m., Tuesday, March 19.

--meet-the-candidates assembly, 12 noon Wednesday, March 27.

--L.S.A. elections; Thursday, March 28.

Details with respect to nomination procedures and election regulations will be published in due course. Thank you for your attention.

Murray MacDonald
Chief Returning Officer

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ACADEMICS, ARTICLING AND ARMAGEDDON

by Eric Roher

As law students we all have a lot on our minds. Each day we are confronted by an onslaught of complex and difficult problems. Should I take Remedies or Real Estate? Is the exam open-book or closed-book? Is the summary typed or legibly written?

We also have concerns about our future careers. Should I accept a cup of coffee in my articling interview? Does the firm have a dental plan? Do I really want to work in MISSISSAUGA?

In addition to dealing with these tough problems, law students also try to keep relatively informed as to what is happening on the world scene.

I recently attended a talk given at McGill by Noam Chomsky, Professor of Linguistics at M.I.T., and author of many books on U.S. foreign policy and international affairs. For those of you who may have been otherwise engaged -- drinking coffee and talking about dental plans in Mississauga -- and did not have a chance to attend, here are some of the points articulated by Prof. Chomsky.

The thrust of his talk was that, as a result of the recent development of advanced weapons systems by both superpowers, "we are moving inexorably toward a terminal nuclear war."

Chomsky argued that the development of a new generation of American weaponry such as Pershing, Cruise, Trident, MX and the Strategic Defense Initiative

(also known as Star Wars) will compel the Soviet Union to resort to a computerized "launch on warning" strategy.

The problem with this type of computer-controlled response system, Chomsky contended, was that it doesn't work. The Americans have developed similar systems but they don't trust them. In the mid-1970's a flock of Canadian geese flying over the Canadian DEW line was able to set off the initial stages of a similar computerized early warning system. Fortunately, a human back-up team was able to assess the situation and make corrections. Chomsky said that by pushing the Soviets to adopting the computerized-launch strategies, "nuclear war is almost inevitable through error or inadvertence."

Chomsky then questioned the absence of the Nuclear Freeze issue in the 1984 U.S. elections, given its support by 75% of the American population. Why, in the current drift towards nuclear war, had public opinion become so irrelevant?

He argued that the massive military buildup in the U.S. since the Second World War has been driven by, what he calls, "standard rhetoric". For example, President Kennedy appealed to the American populace in the early 1960's that they had to defend themselves from the "monolithic and ruthless conspiracy which is the source of our trouble." Similarly, in recent years President Reagan has said that increased military spending is essential to

counteract the "evil empire". Chomsky said that the rhetoric of successive American presidents since WW II has contained no substance but only catchy paranoid phrases couched in defensive terms.

Chomsky reviewed three periods since the Second World War that were characterized by a sizeable military build-up in the U.S.: (1) the early 1950's, (2) the early 1960's, and (3) the early 1980's. He argues that in each of these periods there was in reality no new threat on the international scene. But in each period the "standard rhetoric" was invoked to justify increased military spending.

For example, in the 1950's the official excuse used was the Korean War. But Chomsky referred to official State Department Documents which reveal that the government had called for a vast escalation in military spending prior to the Korean War. In the 1960's the official reason proffered was the famed "missile gap" with the Soviets. Chomsky claims that when Kennedy came to office he immediately found out that the Soviet Union had 4 missiles and that the Americans were substantially ahead. But the rhetoric continued.

Similarly in the 1980's, the rationale underlying the current arms build-up is the "Window of Vulnerability". The window seems to open wider each time President Reagan asserts that the Soviets are out to take over the world. Chomsky pointed out that the

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LETTERS TO THE EDITOR

Dear Editor:

I commend you for the article in Volume 5, No. 17, page 5 of Quid Novi entitled "Squirrels Invade." It is heartening to see that students as well as staff are concerned about the maintenance of our beautiful old Chancellor Day Hall.

I find it extremely distressing that the building is so poorly maintained and that we have reached the point where a ceiling which was recently renovated at a very great cost by the university after the plaster had been largely destroyed by a totally unnecessary flood (due itself to bad maintenance) is now threatened by squirrels. I trust that you will continue your pressure upon the faculty and university administration to improve the quality of maintenance of our historic building.

Old Chancellor day hall is a particularly fine example of Golden Square Mile architecture. It was originally built in 1892 by Bruce Price. It is the only example in Canada of domestic architecture by Bruce Price who was in his day, along with McKim, Mead and White, the leading architect in the U.S.A. Price was responsible for a number of C.P.R. hotels including much of the Chateau Frontenac, part of the Windsor Station and Hotel Viger in Montréal as well as other C.P. hotels including the original (and now destroyed) Banff Springs Hotel. He was the pioneer of the so called "chateau style." At McGill, he also designed Royal Victoria College on Sherbrooke and University.

Our building was renovated by the Maxwell brothers in 1912-13.

May I also take this occasion of bringing to the attention of the student body the problem of the main doors of Chancellor Day Hall. They were not made to be opened 500 times a day and they are rapidly deteriorating due to excess use. They should not be used each day by so many people, especially in winter. When they collapse rest assured that they will not be replaced by anything so beautiful.

Could I suggest that all members of the faculty use other entrances during the winter, particularly the New Chancellor Day Hall entrance. In this way, we could all do something to preserve this remarkable building.

Yours very truly,
A.L.C. de Mestral

Dear Editor:

Earlier this term, certain elected representatives of the student body within this faculty succeeded in passing a motion before Faculty Council that Wednesday February 20th become a nominal Friday. This was done without the knowledge, and thus without the approval or support, of the students of this Faculty. No attention was paid to the problems this would create for those students who have part-time jobs, for those involved with the Legal Aid Clinic, for those involved with other clubs and organizations (especially those who had guest speakers, etc. arranged)

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CENSORWATCH DESERVES FAVOUR

by Pearl Eliadis

The McGill chapter of Censorwatch is the only operating branch in North

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THIS YEAR THE MCGILL FACULTY OF LAW CAREERS COMMITTEE HAS ARRANGED FOR SPEAKERS TO ATTEND ONE-HOUR SEMINAR SESSIONS DURING THIS WEEK, MARCH 4 TO MARCH 8, SO THAT THE STUDENTS OF THIS FACULTY MAY OBTAIN PRACTICAL INSIGHT INTO POTENTIAL FIELDS OF EMPLOYMENT, AS WELL AS BE ABLE TO INTERACT IN A QUESTION AND DISCUSSION FORMAT WITH SPEAKERS OF VARIED BACKGROUNDS AND ON A WIDE VARIETY OF TOPICS. THESE SESSIONS ARE SCHEDULED TO RUN FOR ONE HOUR EACH, AND ARE SCHEDULED BETWEEN THE HOURS OF 1:00 AND 2:00 DAILY, WITH EXTRA SESSIONS WEDNESDAY, MARCH 6 FROM NOON UNTIL 1:00. STUDENTS SHOULD NOTE THAT THE DAILY SESSIONS INCLUDE SPEAKERS FROM BOTH COMMON LAW AND QUEBEC JURISDICTIONS, AND SHOULD PLAN THEIR ATTENDANCE ACCORDINGLY. TOPICS HAVE BEEN ARRANGED SO AS TO PROVIDE A MINIMUM OF OVERLAP, AND IN A NON-CLASS TIME PERIOD. WHY NOT SPEND YOUR LUNCH BREAK BEING INFORMED . . . AND ENTERTAINED TOO? PLAN TO ATTEND!

Monday, March 4 (1:00-2:00)

CENSORWATCH DESERVES FAVOUR

Quid Novi 5

by Pearl Eliadis

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Senior Counsel - Royal Bank of Canada

Smith, Lyons (Toronto)
The Gazette
Ogilvy, Renault (Montreal)

McCarthy & McCarthy (Toronto)

McMaster, Meighen (Montreal)
Goodman, Carr (Toronto)

Fraser & Beatty (Toronto)

Barreau du Québec

McGill University
Tilley, Carson & Findlay

Anne Cartier
John S. Kelly

David Bell
Rod MacDonell
Norman Steinberg

Wednesday, March 6

*** (12:00-1:00) ***

Barry R. Campbell

*** (1:00-2:00) ***

Hubert Sénécal
Stanley Wax

Thursday, March 7 (1:00-2:00)

Christopoher E. Pinnington

Robert Primeau

Friday, March 8 (1:00-2:00)

Professor A. de Mestral
Michael Peterson + Peter Hamilton

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CENSORWATCH DESERVES FAVOUR

by Pearl Eliadis

The McGill chapter of Censorwatch is the only operating branch in North America of the London-based organization. Censorwatch is an international watchdog monitoring censorship in the arts and professions. Its publication, "Index on Censorship", is probably the finest English language periodical of its kind. And Sandra Stephenson started the Censorwatch ball rolling right here at our law faculty. The most recent Censorwatch event was the well-received production of Tom Stoppard's play "Every Good Boy Deserves Favour".

Plays, says Stephenson, are the works most subject to censorship. In countries where illiteracy rates are high, dissention most often rears its head in the shape of theatrical productions. "Every Good Boy Deserves Favour" turned our focus to psychiatric torture in the U.S.S.R. Stephenson said the play was chosen partly because of Stoppard's long term association with Censorwatch.

Despite the success of the play, there were rumblings about the choice of the U.S.S.R. as the "oppressor". Stephenson admits that she had hesitations about this aspect of the play, but is convinced that Stoppard's message was an ideal vehicle for communicating a sense of the tragic impact of censorship and oppression throughout the world. "These things do happen", Stephenson says: the seventies were a key decade for psychiatric torture. This was especially true in the U.S.S.R. which had asylums where the

proportion of sane inmates was as high as one third. This reality was poignantly underscored by one member of the audience at "Every Good Boy Deserves Favour". The grandfather of Natalya Turovsky, one of the play's musicians, came backstage one night and recounted his experiences as a prisoner in the U.S.S.R. He had been defending dissidents.

While Canada lacks the international bad press on human rights issues associated with the U.S.S.R., its track record is not immaculate. In the city of Peterborough, a school librarian has been attempting recently to ban the works of Margaret Laurence. Closer to home, many McGill students may recall the "purges" in the Department of Political Science during the early eighties. Censorship has many faces, and Censorwatch attempts to promote international awareness of its guises.

Censorwatch is currently repeating its annual poetry competition, in collaboration with "Scrivener," the McGill Observer and Old McGill. Most impressive is the support of the Canadian League of Poets, which is normally extremely reluctant to back any poetry competition. (Submissions to the competition must be accompanied by \$1 for each submission and addressed to: Censorwatch Poetry Competition, 3480 McTavish St., Montreal (or drop it off at the Union Building) by March 31, 1985.)

Next year, Stephenson anticipates that Censorwatch will be involved with another theatrical production, hopefully in conjunction with a British troupe that will be touring North America. Censorwatch elections will take place in March.

Jessup Cont'd from p. 1

of the two teams who will compete in the Championship Round." The tension in the room mounted, and the McGill team quickly snapped out of its introspective trance. They nonetheless remained steadfast in their belief that any number but their own -- number 18 -- would be called out.

"Ladies and Gentlemen, the two best teams after the four preliminary rounds are, respectively, team number 1 and team number ...," Prof. McClelland paused briefly, "team number 18."

There, in the crowded Common Room, what had been a despondent McGill team rose and embraced, filled with disbelief and joy.

"Would those two teams please come to the front of the room to receive instructions on the Final Round," Ms. McClelland continued in an officious tone. The U.B.C team chose to plead the Respondent's side, which meant that Gogek and Côté would represent McGill in the Final Round. Both sides were given about 40 minutes to prepare for the Final, and each was given a private room in order to study the other side's memorial.

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ANNOUNCEMENTS

Cont'd from p. 2

Nuclear Film Series

A Law Faculty nuclear filmseries kicks off today at noon with a showing of "If You Love This Planet", the only film on the nuclear issue to be honoured with an Academy Award (Best Documentary 1982). The film -- which also earned the distinction of being banned by the Reagan Justice Department in the U.S. as "foreign propaganda" -- is being accompanied to McGill by its Director, Terry Nash of the National Film Board.

The film records a university lecture by nuclear activist Dr. Helen Caldicott, President of Physicians for Social Responsibility. Also included are rare archival clips from Government and early Ronald Reagan films.

The filmseries, organized jointly by Law Students for Disarmament and Lawyers for Social Responsibility, will show four films this month, every Wednesday at noon in Room 201. The films to follow are:

March 13:

War Without Winners: A Centre for Defence Information, Wash., D.C. documentary with powerful statements from top-level CIA, Pentagon and Arms Negotiation Analysts.

March 20:

A Change in the Weather: concerns Carl Sagan's devastating Nuclear Winter hypothesis -- a film from the Scientists Against Nuclear Disarmaments in the U.K., not yet released in North America.

March 27:

Dark Circle: another

award-winning documentary that zeroes in on the nuclear fuel cycle, from uranium (Canada's specialty) to armaments and to waste, and civilian resistance to them all.

Lawyers for Social Responsibility

A chapter of Lawyers for Social Responsibility (LSR) has been started at McGill. It has aroused much interest, and already has a paid-up membership in the Law Faculty of over fifty.

The organization of the newly-formed national organization of the same name, seeks to make a substantial contribution to the growing international movement for peace. The organizations, a non-profit, politically non-affiliated corporation, is open to lawyers, law students, and paralegals, and already has chapters in most major centres.

LSR's aims include:

To educate the members of the legal profession, educators, policy makers and the general public to the dangers of war;

To review and comment upon government policies and laws in any way affecting the establishment of lasting peace;

To encourage and support legal research into laws concerning the security of individuals and nations and laws governing preparations for and the waging of war;

To prepare and promote alternative strategies for security and conflict resolution between nations;

To prepare and present

legal briefs and position papers having a legal perspective on all of the foregoing;

To provide legal advice to groups and individuals working for peace through non-violent means,

To promote better understanding between peoples of all nations.

The local chapter has helped organize this month's series of award-winning nuclear films, and is starting to plan its activities for next semester. Any members of the faculty wishing to join LSR will be able to do so during the film series (Wednesdays in March, 12 noon, Room 201).

McGill Legal Aid

The present McGill Legal Aid Directors are pleased to announce the Directorate of 1985-86:

Director-General: Mark Chernin.

Directors: Shaun Cathcart
Simon Rivet
André Séréro

Jessup

Cont'd from p. 5

The Final Round began at about 4:15 pm., Saturday afternoon. The impressive Alberta Law School Moot Court, modelled closely after the provincial supreme court and elegantly lined with fire-red broadloom and walnut trim, was quickly filled to capacity. Those unable to obtain seats in the courtroom were immediately informed that they could watch the entire round on the closed-circuit video screens at various places in the University.

Cont'd on p. 8

PLACEMENT CENTER

The Sixth Annual Summer Course on Human Rights which takes place in Prince Edward Island is announced for this year. The course is offered at the University of P.E.I., Charlottetown, from July 14 through July 26. A limited number of bursaries will be available through the Foundation and interested parties are requested to write Professor John Humphrey at the Foundation. A poster announcing this event is posted in the Placement Centre.

Ontario

The firm of Dick & Nichols, Suite 700, 141 Laurier Avenue West, Ottawa, K1P 5J3 have a position available for one (1) articling student for the year 1986/87. This is a small firm with a highly sophisticated practice in the areas of corporate and commercial law. Interested students should send a c.v. and transcript to Margaret A. Smith at the above address. The articling summary is available in the Admissions Office.

A notice has arrived from the Office of Chief Justice Brian Dickson to the effect that the Supreme Court of Canada is recruiting law clerks to serve with the Chief Justice and the Puisne Judges for 1986/87. A copy of their notice which includes full particulars is available in the Centre as Posting #72.

British Columbia

The Placement Centre has been advised by the firm of Owen, Bird of Vancouver that it will not adhere to the guidelines for interviewing during 1985. Accordingly they will be receiving resumes and contacting likely candidates for

interviews at their discretion. Please refer to their notice in the Placement Centre which explains fully Owen, Bird's stand in this matter.

Second year law students are invited to submit applications to the British Columbia Law Clerk Program. Interviews for this program for the B.C. Court of Appeal, Supreme Court and County Courts will be conducted in June 1985 for the 1986/87 term. For full particulars refer to notice #69 in the Placement Centre.

Applications from second year law students are invited by the firm of Freeman & Company for articling positions for 1986/87. Applications and resumes should be forwarded to:

Mr. Don Pangman
Freeman & Company
16th Floor, The Burrard Building,
1030 West Georgia St.,
Vancouver, B.C., V6E 3C4

Applications received will be reviewed and interviews will be conducted during the weeks of August 19 and August 26, 1985. Information regarding this firm is available in the Admissions Office.

Quebec

Professor J.E.C. Brierley of this Faculty is seeking a student for Summer research activity, probably for the period May-August, on a full-time basis. The qualified person would be expected to have an excellent reading knowledge of English and French and to have completed third year. Those interested should contact Professor Brierley at 392-4257 for an appoint-

ment.

Parisien-Michaud have an opening for an articling student for 1985/86. Candidates should be bilingual and have a car. Chances are excellent for a return to this firm after being admitted to the Bar. Applications should be forwarded as soon as possible to:

Me Michel Parisien
Parisien-Michaud
69 est, rue Principale,
Hawkesbury, Ontario
K6A 1A1

Clarkson, Tétrault is recruiting students for the summer of 1986 and a six-month stage articling period in 1987. Interviews will be conducted in their Montreal offices on Friday, March 22, 1985 between 9:00 a.m. and 5:00 p.m. Interested students are requested to leave a copy of their curriculum vitae and academic record (first year and first semester of second year law school) with Mrs. Higgins in the Admissions Office. These should arrive in the Admissions office no later than Friday, March 15. Clarkson, Tétrault will provide the Admissions Office with a list of candidates to be interviewed.

Ms. Claire Bernstein seeks a self-motivated student who enjoys research and is capable of working independently. The position entails research for articles and books, in all areas of the law, and is for the summer of 1985. Applications should be submitted accompanied by references from two professors plus a writing sample. Interested parties should contact Ms. Claire Bernstein at 488-2156 or 488-9423.

Jessup
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Presided over by Mr. Justice Jules Deschênes, former Chief Justice of Quebec, the Court in the Final Round included Prof. William Graham of Toronto, Prof. Stanislas Slosar of Sherbrooke, Mr. Justice William Sinclair, Chief Justice of the Court of Queen's Bench of Alberta, and Me. B. Dickson, from the Department of External Affairs in Ottawa.

In his opening statement for McGill, Côté politely informed the Court that the Applicants would be pleased to answer questions in both English and French. The Court evidently accepted this invitation, as even Mr. Justice Sinclair of Alberta posed a question in French. Côté, in spite of the pressure, turned in a solid performance. Gogek's presentation was smooth and well-timed, despite, as Prof. Vlasic would carefully point out later, his "constant repetition" of the word "indeed".

The U.B.C. team gave presentations which were forceful and methodical, though at times uninspiring. The McGill team perhaps gained the edge when Ms. Pettifer, one of the U.B.C. pleaders, was asked if the "Brezhnev Doctrine" reflected international law. The Courtroom filled with a long silence. Ms. Pettifer appeared unfamiliar with the doctrine, and Professor Slosar had to explain further.

Still, the U.B.C. team held its own, and at the end of the regular plead-

ings, it was difficult to pick out a clear winner. The intense exchange of notes between Côté and Gogek made it apparent that they were contemplating a rebuttal. When called for rebuttal, Gogek took the podium and delivered a succinct refutation of two points -- one raised by each of the pleaders from the U.B.C. team. The expressions on the faces of Profs. Graham and Slosar suggested that the points raised by Gogek were exactly what the Court wanted to hear. As Gogek concluded his remarks, the U.B.C. team appeared to be deciding nervously who would make the sur-rebuttal. It was given by their second pleader, Ms. Higgins, who seemed only to re-iterate what had been said earlier. The Final Round was over.

The immediate reaction of the crowd was that McGill had won. There were early congratulations and talk of good luck for the International Competition in New York. But the McGill team was skeptical. It was too close to call. Furthermore, two years ago the crowd thought that McGill had won the Final Round, only to learn later that night that the scoresheet said the opposite. The McGill team was convinced that history could repeat itself. All one could do was to wait for the judges' decision, which would be announced at the Awards Presentation after the banquet dinner.

When Alberta Law School Dean D.P. Jones made his opening remarks late Saturday night, one had the distinct feeling that history was not repeating itself.

"Ladies and Gentlemen", Dean Jones began, "to McGill University (pause) and to all other participants in the 1985 Jessup Competition, welcome."

Indeed, history did not repeat itself. Not only did McGill win the Championship Round, but it also won by a unanimous (5-0) decision of the Court. McGill also won the "Best Memorial" and "Best Oralist" (Gad Cohen) prizes. For winning the Final Round and for being the team with the highest overall score, McGill was also awarded the Richard Baxter Memorial Prize, given by the Canadian Council on International Law, and the Wolfgang Friedman Memorial Prize, donated by the University of Toronto. According to available records, no team has ever won all of the top prizes in the Canadian Division of the Jessup Competition.

The University of British Columbia received the prize for the second-place team, and the University of Toronto stood third. The University of Ottawa, Common Law received the prize for second-place on the Memorials, and the University of Calgary stood third. Messrs. G. Henderson and S. Potamitis, both from the University of Toronto, and on the team against which Côté and Gogek had pleaded, received the prizes for second and third best oralists.

Professor Kuttner of the University of New Brunswick summed up the whole event very nicely when, toward the end of the banquet, he

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Jessup Cont'd from p. 8

forcefully exclaimed, "As a graduate of the University of Toronto Law School, I am very happy to say that this year the best team won." The entire room, perhaps with the exception of the U. of T. table, broke into laughter, cheers and applause.

The 1985 McGill Jessup Team would like to thank a number of people for their contribution to the team's success. For their immense patience and immeasurable assistance, we especially thank Professors David Stevens, Ivan Vlasic and G. Blaine Baker, and Richard Janda. To all those who patiently sat as judges during our practice moots, we are very grateful: Professors Stephen Perry, Pierre-G. Jobin, Armand de Mestral, Jean-Louis Magdelenat, Ralph Simmonds, Maître Michel Proulx and A. Grant McCrea. To the Library Staff we are most grateful for the use of Room 600, and we thank especially for their assistance Mr. Li, Mr. Michael Renshaw, and Nasmy. To Peter Oliver, Brian Pel, Hélène Guay, and the rest of the McGill Law Journal Staff, we extend our thanks for the use of the Journal's computer equipment. We would also like to thank Elaine Marchand, Michael Hooton, Steven Sofer, Nicholas Kassirer, and all the others who lent a needed hand. Last but not least, may we thank Dean Rod Macdonald for his moral and financial support, and for the generous budget we know we can count on for New York.

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and for those who have other things to do on Wednesday afternoons (doctor's appointments, etc.). This represents a complete and total lack of respect for the democratic process these people supposedly represent. Furthermore, this already sad state of affairs was only exacerbated by the failure of these people to duly inform the people they supposedly represent of the results of their unilateral action within such time as the students could reasonably be expected to make arrangements for their personal timetables. Within a Faculty of Law such behaviour is shocking and should hardly be tolerated.

Howie Greenberg
Grame Fraser
Richard Quon
Lyle Carlstrom
Bruce Crozier
Henry Schultz
Mark Chernin
Andrea Lockwood
Shaun Cathcart
Del Daignault
Francis Lamer
Dale Lysak

Academics, Articling . . .

recent Scowcroft Commission, established to assess the viability of the MX missile system, concluded that there never has been a "window of vulnerability". But nevertheless, the arms build-up continues at a frenetic pace.

Chomsky contended that if one looks beyond the rhetoric of successive American administrations, "real reasons" emerge. First, Chomsky conceded that to some extent the development of new weapons systems are needed for defensive purposes. He argued that if the U.S. is to defend its traditional areas of economic and political influence, and maintain

Dear Editor:

We are outraged by the manner and choice of words with which you announced the members of both (i) the Jessup and (ii) the Gale Cup Moots!

Why is it that "McGill will be well represented" at the Jessup International, whereas certain individuals "will be representing" McGill at the Gale Cup? Was the word "well" left out on purpose with respect to the Gale Cup Mooters?

We expect that this negligent and disgraceful oversight will be rectified and an apology to the Gale Cup Mooters will be forthcoming.

**Thoroughly Outraged,
A majority of the
members of the student
body.**

**This announcement was
received from the Moot
Court Board. The Quid
suggests that you raise
your grievances with them.
The Editor.**

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access to resources and cheap labour, it needs to secure a geo-political area. Thus, it needs nuclear weapons to create an umbrella under which it can freely use conventional weapons to maintain a secure area of control.

A second "real reason" underlying the military build-up is to keep the American economy primed. The use of "military Keynesianism" is one way to "get the country moving again". Military spending provides a massive taxpayer subsidy and guaranteed markets for American manufacturers. Although this

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Academics, Articling . . . Cont'd from p. 9

military pump-priming may be an inefficient way of re-distributing income, it operates to enhance the status quo and support the existing power structure.

What can we do about the current drift toward nuclear war? Prof. Chomsky outlined approaches. The first, short term approach, is the need to engage in a "holding action". This consists in working to stop the development of the latest monstrous weapons systems and working towards the reduction of tensions in the Third World. Chomsky said that special attention must be paid to the Middle East, where there is imminent danger of a possible "blow out". He maintained that a "holding action" may be workable for the time being, but in the long term it will be insufficient.

The second approach Chomsky put forth was the need to undertake dramatic institutional changes. He argued that major changes are needed in current forms of management and in our political structure. Chomsky advocated innovative methods for workers to have greater control and input in decision making within industry. Moreover, he advocated the need to revitalize the political structures, to provide individuals with a genuine role in the policy making process. Since these institutions were built by humans, he contended that they can be changed by humans. Chomsky concluded that these types of far-reaching political and economic changes have to be undertaken or "there will be no future to worry about."

BYTES AND CHIPS

by Marcel Banasinski

Diskdrive, modem, microchip--do these words mean anything to you? If they don't now, they will in the near future. Everywhere you turn today you are confronted by computers. Some people consider them a vital asset to our growing and complex society because of their efficiency at compiling, handling, and distributing information; others view the computer invasion as dehumanizing. However, for better or for worse, the computer age is upon us and is proceeding at full thrust. The computer has even invaded that most conservative of professions--law.

Cases presently found in law reports and journals are being fed into computers and stored in memory banks, from whence they may be retrieved at the touch of a button. The Honourable Justice Ledain of the Supreme Court of Canada mentioned during his talk at McGill that the computer is being used to transmit their judgements throughout Canada, as they are being delivered. Lawyers are beginning to use the computer to do their legal research; it saves money, time, energy--and more money.

The law library has acquired three MacIntosh Personal Computers for student use and recently two of them were displayed in the Common Room. It gave the students an opportunity to familiarize themselves with a computer.

The MacIntosh is a user-friendly computer,

which means that you don't need a Ph.D. in Computer Science to operate it. All you need to know is provided in a "thin" manual with most of the instructions appearing on the screen.

The Law library presently has two types of programs: MacPaint for the artistically inclined, and MacWrite for those like me who use a whole bottle of liquid paper per typed page or for those who are not willing to pay good money to incompetent typists--a view shared by many a first year student after handing in factums.

The library also possesses a computer which is linked up to QL, a large legal data base. To use this computer you must attend one of the tutorial sessions offered by Mr. Renshawe at the library.

The computers for general use are available to students during normal library hours. The QL system is only available 9 a.m. to 5 p.m. Monday to Friday. The only requirement is that you reserve your time beforehand, and the best thing about it is that it's free -- for now at least. So jump on the computer bandwagon before you are left in a cloud of law reports. For more information, contact Mr. Renshawe in the Law Library.

Quote of the Week

"That's exactly what lawyers do: sap the GNP".

Blaine Baker
in Contracts